

Secure Care Education in Arizona

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Secure Care Education's Role - Unique Challenges

Special Education

- ◆ “Meeting the requirements of IDEA in correctional settings is a daunting task. There is a poor fit between federal regulations and the reality of correctional facilities.” *Twenty-first Annual Report to Congress on the Implementation of the Individuals with Disabilities Act.*





Special Education in Correctional Facilities

- Under IDEA '97, youths with disabilities in correctional facilities are entitled to special education and related services, despite numerous challenges to provide FAPE.
- 28-44% of students who are incarcerated have an identified disability under IDEA, compared to public school figures of 8-13% of the total student population (under 22): (based on Dec. 1, 1996 OSEP Report)
 - Specific Learning Disabilities 45%
 - Emotional Disabilities 42%
 - Mental Retardation 7%
 - Speech and Language Impairment 3%
 - Other Disabilities 3%



Why the disproportionate representation among incarcerated youth?

- ◆ Several theories emerge regarding the relationship between delinquency and disability:
 - **1. School Failure**
 - Learning and behavioral disabilities may lead to academic failure and drop out, which may lead to delinquent behavior.
 - **2. Predisposition**
 - Students with disabilities exhibit certain cognitive, behavioral, and personality deficits (lack of impulse control, poor reception to social cues, or diminished ability to learn from experience, leading to an increased susceptibility to delinquent behavior).



Cont...

– 3. Lack of Strategies

- Delinquent youth with disabilities may be more likely to be apprehended by police because of a lack of skills to plan strategies, avoid detection, interact appropriately, and comprehend questions and warnings during police encounters.

– More Insight/predictors...

- 19% of all youths with disabilities were arrested by the time they were out of school for 2 years
- **Males** with disabilities are **2.4** times more likely than **females** with disabilities to be arrested while in school.
- Students with **emotional disturbances** were **13.3** times more likely than other students to be arrested while in school.
- Students with **learning disabilities** were **5.9** times more likely than other students to be arrested while in school.
- Students who scored **low on personal/social achievement skills** were **2.3** more like likely to be arrested while in school.



Secure Care Lingo

- ◆ **Adjudicated**: A judicial determination (judgment) that a youth is a delinquent-status offender or an adult offender.
- ◆ **Committed**: A court decision to place an adjudicated youth in a juvenile justice program or adult corrections system.
- ◆ **Delinquency**: Acts or conduct in violation of criminal law. When an act is committed by a juvenile, it may fall within the jurisdiction of the juvenile court, or the courts may adjudicate the individual as an adult in the adult court system.
- ◆ **Detention**: In state or local custody, whether through secure, non-secure, or home detention while awaiting arraignment, adjudication or judicial order.
- ◆ **Detention Center**: Comparable to a jail in the adult system, a temporary, secure holding facility for juvenile offenders.
- ◆ **Recidivism**: Youths who were formerly incarcerated and return to the criminal justice system because of new criminal charges or violation of probation. Rearrest, reconviction, or reincarceration. (30-55% of youth incarcerated reoffend and are recommitted)
- ◆ **Reintegration**: to rejoin society as a productive, contributing citizen in the community.
- ◆ **Youth**: Student between the age of 8-22



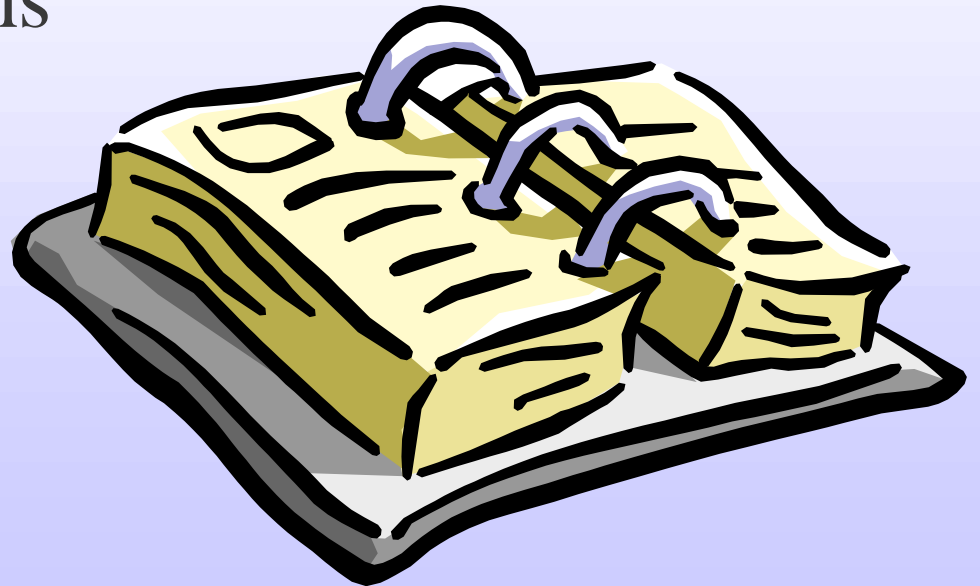
Arizona Secure Care Education

- ◆ **Secure Care education** is defined as every education program which exists in a county detention, county jail, state juvenile corrections, and state prison facility in the State of Arizona excluding Native American and federal facilities.
 - **ADC** 10 state prisons and 3 private prisons (age 14-22)
 - **ADJC** 5 state juvenile correction facilities (age 8-18)
 - **AOC** 14 county juvenile detention facilities (age 8-18)
 - **Jails** 15 county jails (age 14-22)

- ◆ **Secure Care education** needs must address these acknowledged deficiencies:
 - 1) institutional confinement does not adequately prepare youth for a successful reintegration back to their community.
 - 2) lessons and skills learned in secure confinement are neither monitored, nor reinforced outside of the institution.

Average Length of Stay

- ◆ ADC: ~2 years
- ◆ ADJC: ~7.4 months
- ◆ Detention: ~11.8 days
- ◆ Jail: ~4.5 months





Present Level of Performance of Students Incarcerated in a Juvenile Facility

| | Grade Level K-6 | Grade Level 7-8 | Grade Level 9-12 | Grade Level 12+ |
|-------------------|--------------------|--------------------|---------------------|--------------------|
| Reading* (GE) | 51 | 19 | 18 | 6 |
| Math* (GE) | 63 | 17 | 10 | 4 |
| Language* (GE) | 57 | 12 | 17 | 8 |
| Percentage | 61% | 18% | 15% | 6% |

*Results are based on TABE (Test of Adult Basic Education) testing, and normed on incarcerated students. Students at this facility were ability grouped based on their reading level to remediate basic skill deficiencies.



Arizona Detention Facilities Demographics for 2000

◆ Age:

- 12% 8-13 year olds
- 32% 14-15 year olds
- 55% 16-17 year olds

◆ Gender:

- 76% Male
- 24% Female

◆ Ethnicity:

- 8% African American
- 44% Anglo
- 39% Hispanic
- 7% Native American



Arizona Legislation

County Detention

- ◆ **Law** 15 - 913
- ◆ **Days** 175/225 per IGA
- ◆ **Minutes** 240
counted after 48 hours of incarceration
- ◆ **Agency** County Sch. Superint. and presiding county juv judge
- ◆ **Spec. Ed.** Under 18
- ◆ **Reg. Ed.** Under 18
- ◆ **Records** 15 - 828 w/in 5 school days
- ◆ **Funding** days county pays and ADE reimb. county. \$20,000 base rate & \$15 a day & spec. ed. daily rate

County Jail

- ◆ **Law** 15 - 913.01
- ◆ **Days** 175
- ◆ **Minutes** 240
counted after 48 hours of incarceration
- ◆ **Agency** County Sch. Sup and Sheriff
- ◆ **Spec. Ed.** Under 18 and 18-22
- ◆ **Reg. Ed.** Under 18
- ◆ **Records** 15 - 828 a/in 5 school days
- ◆ **Funding** days county pays and ADE reimb county at .72. \$14,000 base rate & \$10.80 a day & spec. ed. Daily rate .75 for juveniles



Arizona Legislation

ADJC

- ◆ **Law** 15 - 1371
- ◆ **Days** 175
- ◆ **Minutes** 240
- ◆ **Agency** ADJC
- ◆ **Spec. Ed.** Under 18
- ◆ **Reg. Ed.** Under 18
- ◆ **Records** 15 - 828/141 w/in 10 working days
- ◆ **Funding** ADM - ADE pays base level.

ADC

- ◆ **Law** 15 - 1372
- ◆ **Days** 208/240
- ◆ **Minutes** 180
- ◆ **Agency** ADC
- ◆ **Spec. Ed.** Under 18 and 18-22
- ◆ **Reg. Ed.** Mandatory education for 120 days to achieve 8th grade literacy (based on TABE scores) in all areas in order to earn early release credits at 85% of sentencing.
- ◆ **Records** 15-828 w/in 5 school days
- ◆ **Funding** ADM - CEF pays .67 base level.



Overview of Educational Opportunities in Secure Care

◆ Academic:

- GED preparation
- High school credit
- Special Education
- Computerized instruction-New Century
- ABE (adult basic education)/Remedial

◆ Vocational:

- Computer Information Systems
- Janitorial/Custodial Services
- Horticulture/Landscaping
- Food Service
- Arizona Correctional Industries (ADC)



Other Programming

◆ Special Services:

- Life skills – Arizona Drivers License, Voter Registration, Selective Service
- Anger management
- Cognitive restructuring
- Community reintegration/life skills
- Health/Addiction counseling
- Faith-based programs
- Gang intervention
- Family/parenting education
- Victim/empathy education
- Law-related education



FAQ's

- ◆ Can we send records without parent's signed permission?
- ◆ Who is responsible for their education when they are in a correctional facility?
- ◆ Does the local school district need to take books and assignments to the secure care facility?
- ◆ When kids return to the local school district, why does it seem that they have not learned anything, or they have not earned any credits?
- ◆ Must local school district staff attend an MET/IEP meeting in a secure care facility?
- ◆ Can students earn a high school diploma when locked up?
- ◆ Does the local school district have anything to do with the transition process once they are released from a secure care facility?



Who is teaching these students?

Characteristics of a Correctional Educator

- ◆ Able to facilitate students' learning at all levels and subjects simultaneously.
- ◆ Experienced in varied teaching techniques
- ◆ Tuned-in to student needs
- ◆ Able to provide structure and focus to students
- ◆ Maintain a positive outlook
- ◆ Use of humor

Personal Qualities

- ◆ Commitment
- ◆ Good communication skills
- ◆ Fair
- ◆ Flexible
- ◆ Willing to persevere

(Correctional Education Bulletin, August 2001)



Local Challenges...

- ◆ Transient student population.
- ◆ Students have attended various public schools/charters and/or have dropped out of school due.
- ◆ Records exchange for prompt provision of specialized instruction if a student has a history of special education (Appendix A: Question 17, implementation of IEP/provision of FAPE within one week after a student enrolls in a school/facility).
- ◆ Conflicting organizational philosophies between security (punitive) and education (rehabilitative).
- ◆ Reintegration: cooperative and collaborative relationship with the local school districts prior to release from a secure care facility to ensure continuum of services and appropriate placement (can reduce recidivism)
- ◆ Shortage of adequately trained personnel in the area of correctional education.



What's Happening in Arizona?

ADE Oversight

- ◆ Currently forming a more comprehensive oversight approach to correctional education to provide:
 - joint monitoring of federal programs
 - regional special education training for technical assistance, program support
 - opportunities for joint funding and collaboration
 - jails and detention centers assigned to regional specialists to provide more consistency and contact with local school districts to work collaboratively and leverage educational funds.

EDJJ

- ◆ Five year national grant focused on juvenile detention issues. ASU is responsible for creating and establishing best practices for transition programs.

IDEA/Compliance Monitoring

- ◆ The cycle for **continuous program improvement** is structured around activities over a six-year period.
- ◆ Secure care facilities are held to the same standard as any public school for compliance with state and federal laws concerning special education, with a variation in their performance indicators to assist in guiding program improvement.





Performance Indicators- Screening

| Indicators for Student Identification | Standard |
|-------------------------------------------------------------------------------------------------------------------------|----------|
| Percent of newly enrolled students screened in all areas within 45 days of enrollment | 100% |
| Percent of students whose education records were requested within 5 days of enrollment | 100% |
| Percent of student files documenting review of education records, screening intervention, and documented follow up | 100% |
| Percent of student files documenting notification to parent/ adult student of a concern within 10 days | 100% |
| Special Education Population (OSEP 2000 21 st Report to Congress) | 28-44% |
| Percent of 18-22 year old students who had a history of special education services/identification, and refused services | 1-3% |

Performance Indicators- Evaluation



Indicators of Evaluation

| | | |
|--------------------------------------------------------------------------------|-------------|--|
| Percent of evaluations completed within 60 days of consent for additional data | $\geq 90\%$ | |
| Percent of reevaluations completed within 3 years of the prior evaluation | 100% | |



Performance Indicators: IEP

Indicators for IEP and LRE

| | | |
|--------------------------------------------------------------------------------------------------------------------------------------|------|--|
| Inter- intra-agency collaboration/participation in IEP meetings (vocational ed, chaplain, COIV, treatment staff, housing unit staff) | ≥90% | |
| Percent of IEPs with compliant PLEP that translates into a coordinated set of transition activities based on individual needs | ≥90% | |
| Percent of IEP goal attainment of closed out IEPs (based on annual reporting) | ≥75% | |
| Percent of students participating in statewide or public agency assessments | ≥75% | |
| Percent of students leading their own IEP meetings | ≥60% | |



Performance Indicators:

Indicators for Delivery of Services

Percent of students who have a Reintegration/Transition Portfolio based on the Merging Two Worlds/Transition Curriculum

≥75%

Percent of special education teachers fully certified (standard special education only in Arizona)

100%

Percent of IEPs that include participation from local school districts, parole, and/or adult learning centers to facilitate reintegration into community

≥75%

Indicators for Procedural Safeguards/satisfaction

Percent of students aware of the contents of their transition plan for reintegration into the community

≥90%



Effective Reintegration/ Transition Strategies

- ◆ Link between education and recidivism
 - In Arizona, it costs an average of \$4,200 to educate a student, and \$32,000 to house an inmate annually. Reducing recidivism decreased the burden and expenses to taxpayers.
- ◆ Interagency collaboration
 - Effective transition practices are those that are shared by correctional education staffs, as well as personnel from public schools and other community based programs, such as mental health and social services.
- ◆ Team based planning/Intra-agency collaboration
 - Transition services need to be developed and implemented by the IEP team in cooperation with the correctional counselors, probation/parole, and vocational instructors.
- ◆ Tracking and monitoring
 - Systematic and continuous monitoring of the youth through the juvenile justice system facilitates achieving transition goals and outcomes. The present secure care system is disjointed and has no means of following a student to determine outcomes.



Promising Practices to Facilitate successful reintegration/Transition

- ◆ Linkages with community, business and professional organizations
 - Cooperative contractual agreements among local agencies that provide transition services need to be established to maintain a seamless continuum of care.
- ◆ Wraparound services to deliver comprehensive and coordinated services
 - Historically, transition services for juveniles offenders have been fragmented, inefficient and disconnected. These services must be individualized and encompass all aspects of the youth's life.
- ◆ Pre-release training in social skills, independent living and pre-employment training.
 - Students who receive training or support in these areas are more likely to succeed upon release from a secure care facility.

(Correctional Education Bulletin, June, 2001)



Summary of Effective Transition Practices...

- ◆ Staff awareness and familiarity with all county, state, local and private programs that receive or send youths to and from incarceration.
- ◆ The immediate transfer of a youth's education record from the public education program to the jail or detention, and from there to ADJC and/or ADC.
- ◆ An extensive diagnostic system for the educational, vocational, social, emotional, and behavioral assessment of the youth.
- ◆ Access for incarcerated youth to a resource center containing a variety of materials related to transition and support services.
- ◆ Special funds earmarked for transition and support services.
- ◆ Regular interagency meetings, cooperative in-service training activities and crossover correctional and community school visits to ensure awareness of youth and agency transition needs.
- ◆ A process for the immediate identification, evaluation and placement of youths with disabilities



Continued...

- ◆ A compliant transition-focused, student led IEP.
- ◆ An individual transition plan (ITP) that includes the student's educational and vocational interests, aptitudes and preferences and a plan for implementation.
- ◆ Individualized pre-placement planning prior to the transfer of youths from incarceration to the community or long-term correctional facility. It should also include the immediate transfer of a student's education records from the facility to the community school, long-term correctional facility or other programs.
- ◆ Coordination with probation to ensure a continuum of services and care in the community.
- ◆ Coordination with public and private educational program personnel to ensure they advocate for these youths, cultivate family involvement, maintain communications with other agencies and place students in educational programs with supportive teachers, based on their IEP/ITP.
- ◆ A system for periodic evaluations of the site transition program and all of its components.

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